

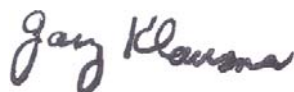
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

ROGER D. GUYTON,) No. CV 08-02666-RGK (VBK)
)
Petitioner,) ORDER (1) ACCEPTING AND ADOPTING
) THE AMENDED REPORT AND
v.) RECOMMENDATION OF THE UNITED
) STATES MAGISTRATE JUDGE, AND (2)
STATE OF CALIFORNIA, et al.,) DISMISSING THE PETITION FOR WRIT
) OF HABEAS CORPUS
Respondents.)
_____)

Pursuant to 28 U.S.C. §636, the Court has made a de novo review of the Petition for Writ of Habeas Corpus ("Petition"), Respondent's Motion to Dismiss, Petitioner's Opposition and Objections, all of the records herein and the Amended Report and Recommendation of the United States Magistrate Judge ("Amended Report").

IT IS ORDERED that: (1) the Court accepts and adopts the Amended Report and Recommendation, (2) Respondent's Motion to Dismiss is granted; and (3) Judgment be entered denying and dismissing the Petition with prejudice.

DATED: January 5, 2009



R. GARY KLAUSNER
UNITED STATES DISTRICT JUDGE